

BRENNEKE DECLARATION
EXHIBIT E

From: [Brenneke, Andrea \(ATG\)](#)
To: ["adrienne.scheffey@akerman.com"](#); [ashley.calhoun@akerman.com](#); [christopher.eby@akerman.com](#); [colin.barnacle@akerman.com](#); [joan@3brancheslaw.com](#)
Cc: [Chien, Marsha \(ATG\)](#); [Polozola, Lane \(ATG\)](#); [whitehead@sgb-law.com](#); [roe@sgb-law.com](#); [berger@sgb-law.com](#); [Hall, Caiti \(ATG\)](#); [joe@3brancheslaw.com](#)
Subject: RE: Washington v. The GEO Group, Inc. - post Mandamus financial document production
Date: Tuesday, December 31, 2019 2:57:58 PM

Dear Adrienne,

Thank you for getting back to us.

The redacted document that we are seeking to have produced, together with all underlying and related documents, was at the center of previous communications with GEO's prior counsel (I will forward a related email shortly). It was produced by Washington as WA00027027.

Andrea Brenneke
Assistant Attorney General
Civil Rights Unit
Washington State Attorney General
800 Fifth Avenue, Suite 2000
Seattle, Washington 98104
Direct: (206) 233-3384
Fax: (206) 464-6451
Andrea.Brenneke@atg.wa.gov

From: adrienne.scheffey@akerman.com <adrienne.scheffey@akerman.com>
Sent: Tuesday, December 31, 2019 1:50 PM
To: Brenneke, Andrea (ATG) <andrea.brenneke@atg.wa.gov>; ashley.calhoun@akerman.com; christopher.eby@akerman.com; colin.barnacle@akerman.com; joan@3brancheslaw.com
Cc: Chien, Marsha (ATG) <marsha.chien@atg.wa.gov>; Polozola, Lane (ATG) <Lane.Polozola@ATG.WA.GOV>; whitehead@sgb-law.com; roe@sgb-law.com; berger@sgb-law.com; Hall, Caiti (ATG) <Caiti.Hall@atg.wa.gov>; joe@3brancheslaw.com
Subject: RE: Washington v. The GEO Group, Inc. - post Mandamus financial document production

Andrea,

Thank you for following-up. Please see the attached correspondence and let us know if you believe an additional call is necessary.

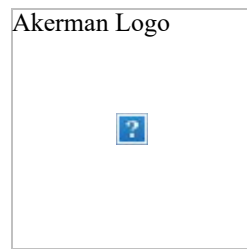
Happy New Year!

Adrienne Scheffey

Akerman LLP | 1900 Sixteenth Street, Suite 1700 | Denver, CO 80202
D: 303 640 2512 | T: 303 260 7712

adrienne.scheffey@akerman.com

Profile



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From: Brenneke, Andrea (ATG) <andrea.brenneke@atg.wa.gov>
Sent: Tuesday, December 31, 2019 2:15 PM
To: Calhoun, Ashley (Assoc-Den) <ashley.calhoun@akerman.com>; Eby, Christopher (Ptnr-Den) <christopher.eby@akerman.com>; Barnacle, Colin (Ptnr-Den) <colin.barnacle@akerman.com>; Scheffey, Adrienne (Assoc-Den) <adrienne.scheffey@akerman.com>; III Branches Law <joan@3brancheslaw.com>
Cc: Chien, Marsha (ATG) <marsha.chien@atg.wa.gov>; Polozola, Lane (ATG) <Lane.Polozola@ATG.WA.GOV>; Whitehead, Jamal (whitehead@sgb-law.com) <whitehead@sgb-law.com>; Roe, Becky <roe@sgb-law.com>; Berger, Adam <berger@sgb-law.com>; Hall, Caiti (ATG) <Caiti.Hall@atg.wa.gov>; Joe Fonseca <joe@3brancheslaw.com>
Subject: RE: Washington v. The GEO Group, Inc. - post Mandamus financial document production

Dear Counsel,

We have not had a response to our December 13, 2019 letter regarding the post Mandamus financial document production. Nor have we received the additional documents. What is the status?

We are available for a meet and confer on the afternoon of Monday January 6 or on Tuesday January 7th (morning or afternoon).

We will need to raise any unresolved issues with the Court on Friday, January 10th at our pretrial conference and hope to work things out before then.

Very truly yours,

Andrea Brenneke
Assistant Attorney General
Civil Rights Unit
Washington State Attorney General
800 Fifth Avenue, Suite 2000
Seattle, Washington 98104

Direct: (206) 233-3384

Fax: (206) 464-6451

Andrea.Brenneke@atg.wa.gov

From: Brenneke, Andrea (ATG)

Sent: Friday, December 13, 2019 5:28 PM

To: 'ashley.calhoun@akerman.com' <ashley.calhoun@akerman.com>; 'christopher.eby@akerman.com' <christopher.eby@akerman.com>; 'colin.barnacle@akerman.com' <colin.barnacle@akerman.com>; 'adrienne.scheffey@akerman.com' <adrienne.scheffey@akerman.com>; III Branches Law <joan@3brancheslaw.com>

Cc: Chien, Marsha (ATG) <marsha.chien@atg.wa.gov>; Polozola, Lane (ATG) <Lane.Polozola@ATG.WA.GOV>; Whitehead, Jamal (whitehead@sgb-law.com) <whitehead@sgb-law.com>; Roe, Becky <roe@sgb-law.com>; Berger, Adam <berger@sgb-law.com>; Hall, Caiti (ATG) <Caiti.Hall@atg.wa.gov>; Joe Fonseca <joe@3brancheslaw.com>

Subject: Washington v. The GEO Group, Inc. - post Mandamus financial document production

Dear Counsel,

Attached is a letter regarding GEO's post-Mandamus financial document production that requires attention and response.

<< File: 2019-12-13 Letter re GEO's Production 17.pdf >>

Thank you!

Andrea Brenneke

Assistant Attorney General

Civil Rights Unit

Washington State Attorney General

800 Fifth Avenue, Suite 2000

Seattle, Washington 98104

Direct: (206) 233-3384

Fax: (206) 464-6451

Andrea.Brenneke@atg.wa.gov

From: [Brenneke, Andrea \(ATG\)](#)
To: ["adrienne.scheffey@akerman.com"](#); [ashley.calhoun@akerman.com](#); [christopher.eby@akerman.com](#); [colin.barnacle@akerman.com](#); [joan@3brancheslaw.com](#)
Cc: [Chien, Marsha \(ATG\)](#); [Polozola, Lane \(ATG\)](#); [whitehead@sbg-law.com](#); [roe@sbg-law.com](#); [berger@sbg-law.com](#); [Hall, Caiti \(ATG\)](#); [joe@3brancheslaw.com](#)
Subject: FW: Washington v. NWDC - Missing Docs
Date: Tuesday, December 31, 2019 3:16:28 PM
Attachments: [Scan-06042019032108.pdf](#)

Dear Adrienne,

Here is the prior communication I was referencing.

This particular exchange occurred prior to Washington's win in the 9th Circuit and the denial of the Writ of Mandamus, which resulted in the requirement that GEO produce all financial records related to the VWP at the NWDC pursuant to ECF 133. In addition to what Marsha cited, the document we are requesting includes calculations and requests for equitable adjustment/reimbursement/renegotiation of the terms of the contract that make it responsive to at least all of the following RFPs:

REQUEST FOR PRODUCTION NO. 40: To the extent not previously produced, and to the extent they exist, please produce the NWDC's financial statements, Profit and Loss statements, and budget,

and budget to actual analysis on a quarterly or annual basis from 2005 to present, including all *documents that set forth the detailed operating costs of the facility, Voluntary Work Program costs,*

labor costs, and payroll expenses as well as all details of revenue, contract payments and reimbursements for the NWDC.

REQUEST FOR PRODUCTION NO. 43: To the extent not previously produced, and to the extent they exist, please produce all documents that contain *financial analysis, financial models, analysis of*

profits earned, valuation of the work performed, or other assessments of the Voluntary Work Program at the NWDC from 2005 to present.

REQUEST FOR PRODUCTION NO. 51: Please produce all documents, to the extent they exist, containing financial performance analyses, financial models, or other financial evaluations prepared

in connection with or for the purpose of GEO Group's offer(s) and bid(s), *and negotiations related to*

amendment(s) and renewal(s), of contracts related to the NWDC from 2005 - present.

All the best,

Andrea Brenneke

Assistant Attorney General

Civil Rights Unit

Washington State Attorney General

800 Fifth Avenue, Suite 2000

Seattle, Washington 98104

Direct: (206) 233-3384

Fax: (206) 464-6451

Andrea.Brenneke@atg.wa.gov

From: Chien, Marsha (ATG)

Sent: Wednesday, June 05, 2019 8:59 AM

To: shannon.armstrong@hklaw.com

Cc: Polozola, Lane (ATG) <Lane.Polozola@ATG.WA.GOV>; Baker, La Rond (ATG) <larond.baker@atg.wa.gov>; Brenneke, Andrea (ATG) <andrea.brenneke@atg.wa.gov>; matt.donohue@hklaw.com; Whitehead, Jamal <whitehead@sgb-law.com>; kristin.asai@hklaw.com; Devin Theriot-Orr <devin@sunbird.law>; Andrew Free (andrew@immigrantcivilrights.com) <andrew@immigrantcivilrights.com>

Subject: Washington v. NWDC - Missing Docs

Shannon,

I am writing to express concern that GEO's response to the State's discovery requests is not complete. We recently received the attached document, which appears to be part of GEO's request to ICE for an equitable adjustment. It was obtained from ICE in response to a FOIA request.

The document is squarely responsive to RFP No. 12, which requested all communications about the VWP with ICE. As such, we request that GEO provide the complete, unredacted

document as well as any related communications with ICE. If any privileges apply, please specify them.

Kind Regards,

Marsha

Marsha Chien

Assistant Attorney General

Washington Attorney General's Office - Civil Rights Division

800 Fifth Avenue, Suite 2000

Seattle, Washington 98104

(206) 389-3886